

ISSUE AND FACTS

May an organization, which otherwise qualifies for exemption from federal income tax under both section 501(c)(3) and section 501(c)(4) of the Internal Revenue Code, and which did not file for recognition of exemption under section 501(c)(3) within 15 months from the end of the month in which it was organized as required by section 1.508-1(a)(2)(i) of the Income Tax Regulations, establish that it qualifies for exemption under section 501(c)(4) from the date of its organization to the date its exemption under section 501(c)(3) becomes effective?

HOLDING

Because the organization qualifies for exemption under section 501(c)(4) of the Code from the date of its organization, it may apply for and obtain such status for the period during which section 1.508-1(a)(2)(i) of the regulation precludes it from being exempt under section 501(c)(3).

APPLICATION INSTRUCTIONS

Even though an organization considers itself within the scope of this Revenue Ruling, it must file an application on Form 1024, Application for Recognition of Exemption, in order to be recognized by the Service as exempt under section 501(c)(4) of the Code. See section 1.501(a)-1 of the regulations. In accordance with the instructions to Form 1024, the application should be filed with the District Director of Internal Revenue for the key district indicated therein.